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11

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN FRANCISCO DIVISION  
15

16 ELENA NACARINO, on behalf of herself and all  
others similarly situated,

17 Plaintiff,

18 v.

19 CHOBANI LLC,

20 Defendant.  
21

Case No. 20-cv-7437-EMC

**DECLARATION OF CLAUDIA  
M. VETESI REGARDING  
CM/ECF TECHNICAL FAILURE**

Judge: Edward M. Chen  
Courtroom: 5

1 I, Claudia M. Vetesi, declare under penalty of perjury that the following is true and  
2 correct.

3 1. I am a partner at the law firm of Morrison & Foerster LLP, counsel for Defendant  
4 Chobani LLC ("Chobani") in this matter. In accordance with Civil L.R. 5-1(d)(5), I submit this  
5 declaration regarding a technical failure of the Case Management/Electronic Case Files  
6 (CM/ECF) system Chobani encountered while attempting to electronic file ECF No. 69:  
7 Defendant Chobani LLC's Answer to Plaintiff's Third Amended Class Action Complaint  
8 ("Answer").

9 2. Pursuant to ECF No. 63, the Answer was due on March 11, 2022. At my  
10 instruction, shortly prior to 6 p.m. PT on Friday, March 11, 2022, a Morrison & Foerster LLP  
11 docket clerk attempted to file the Answer using the CM/ECF system. The docket clerk  
12 discovered that <https://ecf.cand.uscourts.gov/> was offline, so e-filing was unavailable.

13 3. The Morrison & Foerster LLP docket clerk tried multiple additional attempts to  
14 file electronically through the CM/ECF system, at around 8pm, 9pm and 10pm PT. The Morrison  
15 & Foerster LLP docket clerk was ultimately unable to submit the Answer on March 11, 2022  
16 because <https://ecf.cand.uscourts.gov/> was offline until at least 11pm PT.

17 4. Pursuant to Civil L.R. 5-1(d)(5), as the CM/ECF system was subject to a technical  
18 failure on March 11, and unable to accept filings over the course of over an hour after 12 p.m., the  
19 deadline for the Answer was extended to Monday, March 14, 2022.

20 I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true  
21 and correct. Executed this 14th day of March 2022, in Orinda, California.

22  
23 By:   
24 CLAUDIA M. VETESI

25 Attorneys for Defendant  
26 CHOBANI LLC  
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